

Public Document Pack



To: Councillors Boulton and Jennifer Stewart, Chairpersons; and Councillors Cameron and Macdonald.

Town House,
ABERDEEN 29 January 2019

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

The Members of the **LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL** are requested to meet in **Committee Room 5 - Town House** on **WEDNESDAY, 6 FEBRUARY 2019 at 9.30 am.**

FRASER BELL
CHIEF OFFICER - GOVERNANCE

BUSINESS

- 1.1 Chairpersons for the Local Review Body Meeting
Item 2.1 - 20 Colthill Road - Councillor Jennifer Stewart;
Item 3.1 - 25 Gray Street - Councillor Marie Boulton; and
Item 4.1 - Mundurno, Tarves Road - Councillor Marie Boulton.

- 1.2 Procedure Notice (Pages 5 - 6)

COPIES OF THE RELEVANT PLANS / DRAWINGS ARE AVAILABLE FOR INSPECTION IN ADVANCE OF THE MEETING AND WILL BE DISPLAYED AT THE MEETING

MEMBERS PLEASE NOTE THAT THE FOLLOWING LINK WILL TAKE YOU TO THE LOCAL DEVELOPMENT PLAN.

[Local Development Plan](#)

TO REVIEW THE DECISION OF THE APPOINTED OFFICER TO REFUSE THE FOLLOWING APPLICATIONS

PLANNING ADVISER - GAVIN EVANS

2.1 **20 Colthill Road - Erection of 2 Storey Gable End Extension to Rear - 181370DPP**

2.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 7 - 28)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(181370)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

2.3 Planning Policies Referred to in Documents Submitted (Pages 29 - 30)

2.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 31 - 48)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (181370)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

2.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

2.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

PLANNING ADVISER - GAVIN EVANS

3.1 **25 Gray Street - Replacement Windows to Front - 181632DPP**

3.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 49 - 62)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(181632)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.3 Planning Policies Referred to in Documents Submitted (Pages 63 - 64)

3.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 65 - 70)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (181632)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Application>

3.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

3.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

PLANNING ADVISER - AOIFE MURPHY

4.1 **Mundurno, Tarves Road - Erection of Two Dwelling Houses - 181513PPP**

4.2 Delegated Report, Original Application Form, Decision Notice and Letters of Representation (if there are any) (Pages 71 - 98)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

(181513)

<https://publicaccess.aberdeency.gov.uk/online-applications/search.do?action=simple&searchType=Applicati>

4.3 Planning Policies Referred to in Documents Submitted (Pages 99 - 100)

4.4 Notice of Review with Supporting Information Submitted by Applicant / Agent (Pages 101 - 120)

Members, please note that all plans and supporting documents relevant to the review can be viewed online at the following link by entering the application reference number:-

Ref Number (181513)

<https://publicaccess.aberdeencity.gov.uk/online-applications/search.do?action=simple&searchType=Application>

4.5 Determination - Reasons for Decision

Members, please note that reasons should be based against Development Plan policies and any other material considerations.

4.6 Consideration of Conditions to be Attached to the Application - if Members are Minded to Over-Turn the Decision of the Case Officer

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Mark Masson on mmasson@aberdeencity.gov.uk / tel 01224 522989

LOCAL REVIEW BODY OF ABERDEEN CITY COUNCIL

PROCEDURE NOTE

GENERAL


1. The Local Review Body of Aberdeen City Council (the LRB) must at all times comply with (one) the provisions of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (the regulations), and (two) Aberdeen City Council's Standing Orders.
2. In dealing with a request for the review of a decision made by an appointed officer under the Scheme of Delegation adopted by the Council for the determination of "local" planning applications, the LRB acknowledge that the review process as set out in the regulations shall be carried out in stages.
3. As the first stage and having considered the applicant's stated preference (if any) for the procedure to be followed, the LRB must decide how the case under review is to be determined.
4. Once a notice of review has been submitted interested parties (defined as statutory consultees or other parties who have made, and have not withdrawn, representations in connection with the application) will be consulted on the Notice and will have the right to make further representations within 14 days.
Any representations:
 - made by any party other than the interested parties as defined above (including those objectors or Community Councils that did not make timeous representation on the application before its delegated determination by the appointed officer) or
 - made outwith the 14 day period representation period referred to abovecannot and will not be considered by the Local Review Body in determining the Review.
5. Where the LRB consider that the review documents (as defined within the regulations) provide sufficient information to enable them to determine the review, they may (as the next stage in the process) proceed to do so without further procedure.
6. Should the LRB, however, consider that they are not in a position to determine the review without further procedure, they must then decide which one of (or combination of) the further procedures available to them in terms of the regulations should be pursued. The further procedures available are:-
 - (a) written submissions;
 - (b) the holding of one or more hearing sessions;
 - (c) an inspection of the site.

7. If the LRB do decide to seek further information or representations prior to the determination of the review, they will require, in addition to deciding the manner in which that further information/representations should be provided, to be specific about the nature of the information/representations sought and by whom it should be provided.
8. In adjourning a meeting to such date and time as it may then or later decide, the LRB shall take into account the procedures outlined within Part 4 of the regulations, which will require to be fully observed.

DETERMINATION OF REVIEW

9. Once in possession of all information and/or representations considered necessary to the case before them, the LRB will proceed to determine the review.
10. The starting point for the determination of the review by the LRB will be Section 25 of the Town and Country Planning (Scotland) Act 1997, which provides that:-

“where, in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the Plan unless material considerations indicate otherwise.”
11. In coming to a decision on the review before them, the LRB will require:-
 - (a) to consider the Development Plan position relating to the application proposal and reach a view as to whether the proposal accords with the Development Plan;
 - (b) to identify all other material considerations arising (if any) which may be relevant to the proposal;
 - (c) to weigh the Development Plan position against the other material considerations arising before deciding whether the Development Plan should or should not prevail in the circumstances.
12. In determining the review, the LRB will:-
 - (a) uphold the appointed officers determination, with or without amendments or additions to the reason for refusal; or
 - (b) overturn the appointed officer’s decision and approve the application **with or without appropriate conditions.**
13. The LRB will give clear reasons for its decision in recognition that these will require to be intimated and publicised in full accordance with the regulations.

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	20 Colthill Road, Aberdeen, AB13 0EF.
Application Description:	Erection of 2 storey gable end extension and single storey extension to rear
Application Ref:	181370/DPP
Application Type:	Detailed Planning Permission
Application Date:	2 August 2018
Applicant:	Mr Gary Robertson
Ward:	Lower Deeside
Community Council:	Cults, Bieldside And Milltimber
Case Officer:	Roy Brown

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

A modern gable roofed 1½ storey dwelling and its associated front and rear curtilage within an established residential area. The dwelling has a north facing principal elevation and a garage attached on its west side. The site is bounded by Colthill Road to the north; 22 Colthill Road to the east; 69 and 71 Colthill Circle to the south; and 18 Colthill Road to the west. The south and west boundaries have 2-3m high hedges.

Relevant Planning History

Planning permission was refused in July 2017 (Ref: 170234/DPP) for an upper storey extension to the side of 24 Colthill Road (and other works to the dwelling).

Planning permission was granted in 2014 (Ref: P141521) at 37 Colthill Crescent and in 2006 (Ref: P061805) at 22 Colthill Road for the erection of 1½ storey side extensions.

APPLICATION DESCRIPTION

Description of Proposal

The erection of a two-storey extension to the side of the dwelling and a gable roofed single storey extension to the rear.

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PCS6PCBZG5Y00>

CONSULTATIONS

Aberdeen City Council Roads Development Management – No objection following the submission of a site plan indicating a double driveway in the front of the property and provided that the driveway is implemented in accordance with their comments in that:

- It is at least 5m in width and 5.5m in depth within the existing property;
- The gradient is no greater than 1:20;
- It is internally drained with no surface water discharging onto the public road/footpath; and
- It is not surfaced with loose materials over the first 2m of the driveway adjacent to the footpath.

Cults, Bielside and Milltimber Community Council – No response

REPRESENTATIONS

None

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

Aberdeen Local Development Plan (ALDP) 2017

Policies D1 - Quality Placemaking by Design and H1 - Residential Areas

Supplementary Guidance (SG)

The Householder Development Guide and Transport and Accessibility

EVALUATION

Principle of Development

The application site is within a residential area, under Policy H1 of the ALDP, and the proposal relates to householder development, which would accord with this policy in principle if it does not constitute over development, adversely affect the character and amenity of the surrounding area and it complies with the SG. These issues are assessed in the below evaluation.

Design and Scale

To determine the effect of the proposal on the character of the area it is necessary to assess it in the context of Policy D1 of the ALDP. This policy recognises that not all development will be of a scale that makes a significant placemaking impact but recognises that good design and detail adds to the attractiveness of the built environment.

The HDG states that proposals for extensions should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.

Although the side extension would have a pitched roof; the extension would have a two-storey flat section of roof at almost the maximum height of the dwelling and would have far steeper roof pitch of approximately 45 degrees compared to the 38 degrees of the main dwelling as opposed to terminating at conventional gable end with a ridge. As a result, the proposed extension would serve to overwhelm the original 1½ storey gable appearance of the dwelling and would not be visually subservient in terms of height, massing and scale. It would not correspond with the roof form of the main dwelling and would appear as a two-storey extension which would dominate the 1½ storey form of the original dwelling, particularly on the publically visible western elevation. As this extension would be readily publicly visible from Colthill Road, the proposal would adversely affect the character and visual amenity of the streetscape.

The finishing materials of the proposed extensions would broadly match and thus complement those of the existing dwelling. However, the sole use of harling as an external finishing material on the west elevation of the side extension would serve to accentuate the overall massing and two storey appearance of the extension.

The proposal would result in a reduction in footprint by approximately 2sqm. Therefore, the built footprint of the dwelling as extended would not be double that of the original dwelling and less than 50% of the rear curtilage would be covered by development, in compliance with the HDG. It would not necessarily constitute over-development.

The proposed single storey extension to the rear of the dwelling would be of an acceptable design and scale to the original dwelling and the surrounding area in terms of its ridge and eaves heights, its external finish which would resemble the principal elevation of the original dwelling and its roof pitch which would align with and match that of the main dwelling.

Nevertheless, because of the substantial two-storey form of the proposed side extension which would serve to overwhelm the original gable 1½ storey with the dwelling, the design and scale of the proposal would not be architecturally compatible with the original building and the surrounding area and would have an adverse impact on the character of the surrounding area, in conflict with Policies D1 and H1 of the ALDP and its associated SG.

It must be highlighted that there are alternative designs for a 1½ storey side extension to this dwelling which would allow an equivalent internal layout and accommodation which could be compatible in design and scale with the dwelling and which would comply with these policies and guidance. The applicant was, however, unwilling to take this approach.

Planning History

The form of the proposed side extension essentially matches that of the extension at 24 Colthill Road which was refused in 2017 (Ref: 170234/DPP) under the same adopted ALDP and associated SG which is used to assess this application. That application was refused for similar reasons to the current proposal. Whilst each planning application is assessed on its own merits against the relevant policies and guidance, it can be noted that the proposed side extension is very similar in design and scale to the side extension at 24 Colthill Road (Ref: 170234/DPP), which is just two properties along, and was assessed against the same policies and guidance and refused due to its incompatible design and scale.

It is recognised that there are 1½ storey side extensions in the surrounding area, notably 22 Colthill Road (Ref: P061805) and 37 Colthill Crescent (Ref: P141521). The SG advises that no existing extensions which were approved prior to the introduction of the related guidance will be considered by the Planning Authority to provide justification for a development proposal which would otherwise fail to comply with the guidance set out in this document. Both of these extensions were approved prior to the adoption of the SG and thus cannot be used to justify the design of this proposal, which would be incompatible with the architectural form of the original

dwelling. Nevertheless, it must be noted that the extension at 22 Colthill Road differs from the proposed extension as it has a conventional pitched roof, which terminates at a ridge and has a 1½ storey appearance and the extension to 37 Colthill Crescent, which does have a flat section of roof was considered acceptable partially on the basis that it would not be visible from any public viewpoints. The proposed extension would be both highly visible from the public elevations and would incorporate a substantial flat section of the roof. The grant of planning permission for such an extension would serve to set an unwelcome precedent for similar inappropriately designed extensions to the 1½ storey dwellings in the area, which would incrementally erode the character of the surrounding area. The side extension would not be architecturally compatible with the design and scale of the original building and the surrounding area.

Amenity

Calculations, using the 45-degree rules in the Supplementary Guidance: 'The Householder Development Guide' show that the proposed side extension would have negligible impact on the level of amenity afforded to neighbouring residential properties by way of sunlight and the level of background daylight afforded to habitable rooms.

The proposal would be located on the western boundary and 18 Colthill Road has a window on its east elevation (facing the application site) approximately 1.2m away from the boundary. It has been confirmed by the agent and through a further site visit that this window serves unconverted loft space. Whilst this proposal would result in a two-storey extension approximately 1.2m from this window, which would impact the level of sunlight and background daylight into this room, it is not a 'habitable room' and therefore the proposal would not adversely affect the level of amenity afforded to this property.

The proposed side extension would incorporate a large double rooflight at first floor level on its rear elevation. Given the large hedges on the the south and west boundaries, the distance of the proposal to the curtilage at 22 Colthill Road, the surrounding context whereby the dwelling of 18 Colthill Road would prevent direct overlooking into much of its rear curtilage, and the obscure angles between the rooflight and neighbouring curtilage which would mitigate direct overlooking, the rooflight would not have a significant adverse impact on the level of privacy and would not be overbearing. It would thus not adversely affect the level of amenity afforded to any surrounding residential property. The rear extension would not adversely affect the level of privacy afforded to any residential property given the boundary treatment on the south and west boundaries and the absence of glazing on its east elevation.

The proposal would thus not adversely affect the level of neighbouring residential amenity by way of sunlight, daylight and privacy, in accordance with Policies D1 and H1 of the ALDP and the SG.

Off-Street Parking Provision

The site would no longer have three off-street parking spaces and the resulting garage/external store would not be able to facilitate a car given it would be 2.9m in length. The amended plans indicate a double driveway in the front curtilage.

Had the Planning Authority been minded to grant planning permission, it would have been granted subject to a condition requiring the double driveway to have been completed prior to the proposed extension being brought into use.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale. The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of the dwelling and thus it would not appear subservient in terms of height, mass and scale. As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area. The proposal would therefore conflict with Policies H1 – Residential Areas and D1 – Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material considerations that warrant the grant of planning permission in this instance.

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100130322-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

DEMOLISHING OF EXISTING GARAGE. PROPOSED GABLE EXTENSION WITH EXTENSION TO REAR . INTERNAL ALTERATIONS TO ACCOMMODATE OPEN PLAN KITCHEN LIVING DINING AND FAMILY AREA WITH UTILITY AND STORAGE.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	AK architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ashley	Building Name:	AK architecture
Last Name: *	Keenon	Building Number:	70a
Telephone Number: *	07399873227	Address 1 (Street): *	Ardarroch Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB24 5QS
Email Address: *	admin@ak-architecture.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	GARY	Building Number:	20
Last Name: *	ROBERTSON	Address 1 (Street): *	COLTHILL ROAD
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	ABERDEEN
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	AB13 0EF
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

20 COLTHILL ROAD

Address 2:

ABERDEEN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

MILLTIMBER

Post Code:

AB13 0EF

Please identify/describe the location of the site or sites

Northing

801987

Easting

385632

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ashley Keenon

On behalf of: Mr GARY ROBERTSON

Date: 01/08/2018

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Ashley Keenon

Declaration Date: 01/08/2018

Payment Details

Online payment: ABSP00003103
Payment date: 01/08/2018 12:58:00

Created: 01/08/2018 12:58

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

Ashley Keenon
AK architecture
70A Ardarroch Road
Aberdeen
AB24 5QS

on behalf of **Mr Gary Robertson**

With reference to your application validly received on 2 August 2018 for the following development:-

Erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
A-00067-01-01-001 REV A01	Location Plan
A-0067-01-01-006 REV A02	Site Layout (Proposed)
A-0067-01-01-007 REV A01	Ground Floor Plan (Proposed)
A-0067-01-01-008 REV A01	First Floor Plan (Proposed)
A-0067-01-01-009 REV A01	Multiple Elevations (Proposed)

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale. The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of

the dwelling and thus it would not appear subservient in terms of height, mass and scale. As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area. The proposal would therefore conflict with Policies H1 - Residential Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material considerations that warrant the grant of planning permission in this instance.

Date of Signing 9 November 2018



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Consultee Comments for Planning Application 181370/DPP

Application Summary

Application Number: 181370/DPP

Address: 20 Colthill Road Aberdeen AB13 0EF

Proposal: Erection of 2 storey gable end extension and single storey extension to rear

Case Officer: Roy Brown

Consultee Details

Name: Mr Michael Cowie

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: micowie@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

Comments

I note this application for the erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen AB13 0EF.

I note that proposed shall retain this property to have 4 bedrooms, which as per ACC guidelines requires 3 off-street parking space provision. Currently this is provided in a single driveway and a double length garage, however the proposed shall convert part of the existing garage leaving only a single garage and single driveway. This parking provision would not be acceptable and would request whether the driveway can be widened to become a double driveway and therefore providing the required 3 off-street parking provision. The applicant should be advised that for a double driveway would require to be 5m wide and 6m in length.

The aforementioned single garage on the plans does not provide details on its size, the minimum acceptable external size of a single garage should be 6.0m x 3.0m with a minimum internal size no less than 5.7m x 2.7m.

Upon receipt of revised drawings based on the comments above Roads Development Management shall be better placed to make final comment on this application.

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MEMO



ABERDEEN
CITY COUNCIL

To	Roy Brown Planning & Infrastructure	Date	08/11/2018
		Your Ref.	181370/DPP
		Our Ref.	
From	Roads Projects		
Email	micowie@aberdeencity.gov.uk		
Dial	01224 523761		
Fax			

Strategic Place Planning

Aberdeen City Council
Business Hub 4
Ground Floor North
Marischal College
Aberdeen
AB10 1AB

Tel 03000 200 291
Minicom 01224 522381
DX 529451, Aberdeen 9
www.aberdeencity.gov.uk

Planning Application No. 181370/DPP – Erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen AB13 0EF.

I have considered the above planning application and have the following observations:

1 Development Proposal

- 1.1 I note this proposal for extension of existing dwelling house at 20 Colthill Road.
- 1.2 I note the site is located in the outer city and not within an area of controlled parking.

2 Parking

- 2.1 I note that the proposed extensions retain the existing number of 4 bedrooms, which as per ACC guidelines requires an associated 3 off-street parking provision. Existing parking provision was in the form of a single driveway and double length garage, however the proposed converts part of the existing garage reducing its size significantly and it is proposed to widen the existing driveway to create a double width driveway.
- 2.2 I note that the proposed double driveway requires to be at least 5m in width and a depth of 5.5m within an existing property. The driveway also should have a gradient no greater than 1:20, should be internally drained with no surface water discharging onto the public road/footpath and should not be surfaced with loose materials over the first 2m of the driveway adjacent to the footpath.
- 2.3 The extension of the footway crossing requires to be constructed by Aberdeen City Council, the applicant is responsible for all costs involved and should be advised to contact Road Network Maintenance Unit at least 6 weeks prior to any works commencing on-site and arrange for an estimation for the works. They can be contacted on Tel: (01224) 241500 or email: footwaycrossings@aberdeencity.gov.uk.

3 Conclusion

- 3.1 Should the applicant meet all the above comments, I can confirm that Roads Development Management would have no objection to this application given the attempt to address the alterations in existing parking provision.

Michael Cowie
Engineering Officer
Roads Development Management

MEMO



ABERDEEN
CITY COUNCIL

To	Roy Brown Planning & Infrastructure	Date	07/11/2018
		Your Ref.	181370/DPP
		Our Ref.	
From	Roads Projects		
Email	micowie@aberdeencity.gov.uk		
Dial	01224 523761		
Fax			

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Planning Application No. 181370/DPP – Erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen AB13 0EF.

I have considered the above planning application and have the following observations:

1 Development Proposal

- 1.1 I note this proposal for extension of existing dwelling house at 20 Colthill Road.
- 1.2 I note the site is located in the outer city and not within an area of controlled parking.

2 Parking

- 2.1 I note that the proposed extensions retain the existing number of 4 bedrooms, which as per ACC guidelines requires an associated 3 off-street parking provision. Existing parking provision was in the form of a single driveway and double length garage, however the proposed converts part of the existing garage reducing its size significantly and retains the single driveway.
- 2.2 Previous comments have requested additional information from the applicant with regard to the extents of the remaining garage provision, as this requires to be 6.0m x 3.0m with a minimum internal size no less than 5.7m x 5.7m.
- 2.3 Additionally, it was requested if the existing single driveway can be widened to form a double driveway to compensate for proposed loss of existing parking.
- 2.4 I note that the applicant has failed to provide any additional information requested as part of previous Roads Development Management comments, therefore it appears that the proposed shall only retain off-street parking for only 1 vehicle which is short on the required 3 spaces. Remaining parking would require to be accommodated on-street but would not be accepted to compensate for 2 spaces and the matter that the applicant has done nothing to try address the issue.

3 Conclusion

3.1 For the reasons stated above I recommend this application for refusal.

Michael Cowie
Engineering Officer
Roads Development Management

National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

D1: Quality Placemaking by Design

H1: Residential Areas

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Transport and Accessibility

<https://www.aberdeencity.gov.uk/sites/default/files/5.1.PolicySG.TransportAccessibility.pdf>

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100150688-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Gary"/>	Building Number:	<input type="text" value="20"/>
Last Name: *	<input type="text" value="Robertson"/>	Address 1 (Street): *	<input type="text" value="Colthill Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB13 0EF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="20 COLTHILL ROAD"/>
Address 2:	<input type="text" value="ABERDEEN"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="MILLTIMBER"/>
Post Code:	<input type="text" value="AB13 0EF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="801987"/>	Easting	<input type="text" value="385632"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of 2 storey gable end extension and single storey extension to rear

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see paper apart

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Please see appendix one to paper apart.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

181370/DPP

What date was the application submitted to the planning authority? *

01/08/2018

What date was the decision issued by the planning authority? *

09/11/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The reasons for seeking a review of the decision to refuse this application include that, contrary to the reasons for refusal, the proposed gable end extension would be consistent with the prevalent character of the area, and compatible with the existing dwelling house in terms of design and scale. A site visit would give members a feel for both the character of the area and the dwelling house itself to help inform their decision on this.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Pippa Robertson

Declaration Date: 18/01/2019

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**20 COLTHILL ROAD
ABERDEEN
AB13 0EF**

**NOTICE OF REVIEW UNDER
S.43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

in respect of

DECISION TO REFUSE PLANNING APPLICATION REFERENCE 181370/DPP

PAPER APART



1 Introduction

- 1.1 Planning application reference 181370/DPP was submitted to Aberdeen City Council on 1 August 2018, seeking:

“Erection of 2 storey gable end extension and single storey extension to rear at 20 Colthill Road, Aberdeen.”

- 1.2 Notwithstanding the description of the application, the proposed gable end extension would be better described as 1 ½ storey, this being the height of the existing dwelling, with no part of the proposed extension being any higher than this.

- 1.3 The application was refused on 9 November 2018, with the reason for refusal being given as:

“The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale. The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of the dwelling and thus it would not appear subservient in terms of height, mass and scale. As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area. The proposal would therefore conflict with Policies H1 - Residential Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'. There are no material considerations that warrant the grant of planning permission in this instance.”

- 1.4 It should however be noted that the reasons for refusal relate only to the impact that the side extension might have on the visual character and amenity of the area, with the Delegated Report [Document 16] in respect of the application expressing no other concerns with regards to the development proposed. Specifically, the Delegated Report states the planning officer’s view that:

- the proposed extension would not constitute over development, given that the proposal would in fact result in a reduction of the overall built footprint and complies with policy requirements in terms of plot ratio (with less than 50% of the rear curtilage being developed);



- there would be no adverse impact on the level of neighbouring residential amenity by way of sunlight, daylight and privacy; and
- the proposed single storey extension to the rear of the dwelling would be of an acceptable design and scale to the original dwelling and the surrounding area in terms of its ridge and eaves heights, its external finish which would resemble the principal elevation of the original dwelling and its roof pitch which would align with and match that of the main dwelling.

1.5 In light of the above, this Notice of Review focuses on the decision reached by officers in respect of the proposed side extension. A review of that decision to refuse the application is sought on the grounds that the proposed development:

- Is in accordance with the relevant Development Plan Policies, specifically Policy H1 – Residential Areas and Policy D1- Quality Placemaking by Design, in particular insofar as the proposed extension would be consistent with the prevalent character of the area and has been designed to reflect the six qualities of successful placemaking; and
- complies with the requirements of Supplementary Guidance: Householder Development Guide, in particular in terms of its height, mass and scale when considered against the original dwelling house.

1.6 In addition, it should be noted that:

- the proposed side extension would be permitted under permitted development rights [[Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992 \(as amended\), Schedule 1, Class 1B \[Document 20\]](#) (the GPDO)] if it were not within 10 metres of the boundary of the curtilage of the dwelling house, in that the proposed extension meets all the qualifying criteria for Class 1B development in all other respects. As such, a key question in the determination of the application should be whether the proximity to the boundary wall raises any material planning issues that would justify the application being refused. As outlined above, no such issues are raised, therefore the application should be granted for the reasons given in this paper apart.
- there are no provisions in either the Development Plan or associated Supplementary Guidance that would suggest that any of the elements of the proposed extension are unacceptable as a point of principle. That being the case and there being no features of the proposed extension that are not already



visible in the surrounding area, the assessment comes down entirely to a question of how the proposed extension relates to the existing dwelling house in terms of height and scale. As set out in detail below, the proposed extension provides additional internal space without exceeding the existing roof height, on a smaller footprint than the existing garage, hence it would seem difficult to conclude that it is not appropriate.

- there are no outstanding objections to the proposed development from either statutory consultees or neighbours.

1.7 A list of all documents submitted with the Notice of Review is included in Appendix One.

2 Background

2.1 The existing property is a modern gable roofed 1½ storey detached dwelling house with four bedrooms and an attached garage on the west side, located within an established residential area. In terms of materials, the building features include a mix of harling and wood cladding, with a pitched slate roof.

2.2 Along Colthill Road and within the surrounding streets, there is a mix of house styles and types, many of which have been extended or altered over the years. This includes properties of 1, 1 ½, and 2 storeys in height, both detached and semi-detached. While pitched roofs are a dominant feature, a range of different constructions are introduced by both traditional and box dormer windows, other roof extensions and external garages, including prominent flat roof elements. Essentially, the character of the area is not defined by a single architectural style, but by organic residential growth and development that has evolved over the years to accommodate residents' needs.

2.3 The current application seeks planning permission for a 1½ storey gable end extension and single storey extension to the rear to create improved internal living space for the applicants. In particular, the proposed works have been designed to:

- provide additional headspace in upstairs bedrooms and the main bathroom, where ceiling heights currently cause issues with use;
- create additional storage space, which the property currently lacks; and
- remove the fire risk currently posed by the stairwell in the kitchen required to access the bedrooms.



- 2.4 As emphasised above, no part of the proposed extension would exceed the existing 1½ storey roof height and, notwithstanding the planner’s description of the application, this should be characterized as a 1½ storey extension rather than a 2 storey one.
- 2.5 In terms of design, the proposed gable end extension effectively expands the internal living space over the existing flat roofed garage, incorporating this into the dwelling house, such that the whole forms a single coherent structure, rather being comprised of two separate elements that do not complement each other in either design or function. At the same time, the proposed gable extension pulls development in from the property boundary and has a smaller built footprint than the existing garage.

3 Policy context

- 3.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.2 In this case the application requires to be assessed against the Aberdeen City and Shire Strategic Development Plan (SDP) (2014) and the Aberdeen Local Development Plan (ALDP) (2017). Policies of particular relevance to this application are set out below.

Aberdeen City and Shire Strategic Development Plan (SDP) (2014) [Document 17]

- 3.3 The SDP’s vision for Aberdeen City and Shire is for it to be:

“...an even more attractive, prosperous and sustainable European city region and an excellent place to live, visit and do business.”

- 3.4 The proposed extension to 20 Colthill Road is intended to make the property a more attractive place to live in accordance with this vision.

Aberdeen Local Development Plan (ALDP) (2017) [Document 18].

- 3.5 The aim of the ALDP is for *“...Aberdeen in 2035 to be a sustainable city at the heart of a vibrant and inclusive city region.”*
- 3.6 The key ALDP policies and associated supplementary guidance relevant to this application are:



- Policy H1 – Residential Areas
- Policy D1 – Quality Placemaking by Design
- Supplementary Guidance: Householder Development Guide

3.7 Each of these is looked at in turn below, in doing which it should be noted that the ALDP stresses that:

“It is important to remember that development proposals will be assessed against a number of policies within the Local Development Plan so it must be carefully considered as a whole.”

3.8 The ALDP’s vision for Aberdeen as a place which offers a high quality of life requires the creation of sustainable communities in which amenity is maintained to a high level, with a wide choice of housing styles and types to be made available to everyone. Hence **Policy H1 – Residential Areas** states that, within existing residential areas and within new residential developments, proposals for new development and householder development will be approved if it:

- does not constitute over development;
- does not have an unacceptable impact on the character and amenity of the surrounding area; and
- complies with Supplementary Guidance.

3.9 As identified above, the Delegated Report for the application confirms that there are no issues with either the scale of development or potential impact on neighbouring residential amenity. As such, the only questions which arise are the extent to which the proposed gable end extension:

- relates to the character of the surrounding area; and
- complies with Supplementary Guidance.

3.10 Character is considered in paragraphs 3.11 to 3.14 below, and the Supplementary Guidance is considered in paragraphs 3.15 to 3.19.

3.11 In terms of character, the main concerns expressed by the planning officer in the Delegated Report were that the proposed gable extension would not be architecturally compatible with the original building and the surrounding area due to:



- the incorporation of a flat section of roof near the maximum height of the dwelling instead of terminating at a conventional gable end with a ridge, with this being publicly visible from Colthill Road;
- the pitch of the roof being approximately 45 degrees compared with 38 degrees on the main dwelling; and
- the use of harling as an external finishing material on the west elevation of the side extension, which would serve to accentuate the overall massing and two storey appearance of the extension.

3.12 While the proposed extension would incorporate a flat section of roof and a steeper roof pitch than currently exists on the main dwelling, neither of these features are out of keeping with the character of the surrounding area, which, as set out above, contains a variety of architectural styles and features, including both flat roof elements and roofs of various pitches. All of these are publicly visible from Colthill Road. Likewise, while the extension proposed in this instance does not exceed the existing 1½ storey height of the house, 2 storey buildings are in any event also part of the existing streetscape and character. Finally, in terms of finishing materials, the proposed elevations submitted with the application [Document 8] show a smooth white render, which would tie in to the existing render, and which is in keeping with finishing materials used elsewhere along the street. As such there is no justification for concluding that the proposed development is out of keeping with the surrounding area.

3.13 At the same time, consideration also needs to be given to **Policy D1 – Quality Placemaking by Design**, which requires all development to ensure high standards of design and to have a strong and distinctive sense of place, this being founded in context appraisal, detailed planning, quality architecture, craftsmanship and materials. In this regard, the proposed extension has been designed to bring together existing developed elements of the site to create a visually coherent building that sits well within the site.

3.14 In designing the proposed extension, account has been taken of those aspects of the six qualities of successful placemaking which are relevant to the proposal, as required by Policy D1 and set out below:

Distinctive – in responding to the site context and existing development on this as set out above;



Welcoming – in that details, materials and colour have been considered and chosen to be consistent with those featured on both the existing dwelling house and on neighbouring properties;

Safe and pleasant – in having no impact on adjoining residential amenity;

Adaptable – in that the proposed extension allows for effective use of the property both now and in the future;

Resource efficient – in allowing a family to continue to live in an existing building rather than moving to a greenfield site less accessible to services, facilities, employment and public transport.

3.15 The Council’s **Supplementary Guidance: Householder Development Guide [Document 19]** provides more general rules that should be applied when planning permission is required for an extension. Again, only those provisions relating to the proposed side extension are considered in detail below, given the planning officer’s view as outlined above that the proposed rear extension does comply with the Guidance.

3.16 For detached houses, the supplementary guidance generally supports two storey side extensions on detached properties of two storeys or more. It would therefore seem logical that one and half storey extensions should be supported on properties of one and a half storeys or more. This is also in line with the provisions of the GPDO outlined above, which generally permits extensions of more than one storey up to the height of the existing dwelling house. In line with these provisions, no part of the proposed extension would exceed the existing house height.

3.17 In terms then of general principles with which all proposed extensions must apply, the key one in respect of which the planning officer has expressed concerns is that:

“Proposals for extensions, dormers and other alterations should be architecturally compatible in design and scale with the original house and its surrounding area. Materials used should be complementary to the original building. Any extension or alteration proposed should not serve to overwhelm or dominate the original form or appearance of the dwelling and should be visually subservient in terms of height, mass and scale.”

3.18 With regards to these principles, it is submitted that:



- as outlined above, Colthill Road includes houses of a variety of designs and scales, with the proposed extension being consistent with the existing mix;
- likewise, the proposed render has been chosen to reflect the materials used both on the original building and elsewhere in the local area, although the specific materials to be used could be conditioned if those proposed were considered inappropriate; and
- the proposed gable end extension would not increase the overall house height and has a smaller footprint than the existing garage, as also highlighted above.

3.19 On the basis of the above, the proposed extension should be supported in terms of the Supplementary Guidance.

4 Precedent decisions

4.1 In terms of any reference to precedent decision, it must be stressed that every planning application requires to be considered on its own merits. This notwithstanding, the Delegated Report appears to draw heavily on the decision in respect of a proposed extension at 24 Colthill Road, which was refused in 2017 (Ref: 170234/DPP). However, while the Delegated Report indicates that this application was refused for similar reasons to the current proposal, it overlooks the fact that there were a number of other issues that also led to that decision being reached, including a proposed dormer window which was not considered to comply with the Supplementary Guidance in terms of its size, and concerns about overlooking from a proposed balcony. These issues do not arise in respect of the current application, a decision on which effectively turns on its height, scale and massing vis a vis that of the original dwelling house alone. And, for the reasons given above, there is no justification for refusing the proposed extension on these grounds.

4.2 Likewise, the requirement for each application to be considered on its own merits means that there is no justification for refusing the proposed extension on the basis of concerns about setting a future precedent. This is particularly so when all the proposed features already exist in the surrounding area, such that there would be no change to the area's character or the context against which any future proposals would be assessed.



5 Reasons for refusal

5.1 In light of the policy context outlined above – and the clear support for the proposed development identified within this – it is submitted that none of the reasons given for the application’s refusal are justified as follows:

- **The proposal would not be architecturally compatible with the original dwelling in terms of its design and scale** – the proposed gable end extension has a smaller footprint than the existing garage and is no higher than the existing building, such that there is no justification for saying that it is not a compatible scale. It has also been designed to use materials that reflect those on the original dwelling house.
- **The two-storey flat-roofed form and roof steeper pitch of the proposed side extension would overwhelm the 1½ storey gable roofed form of the dwelling and thus it would not appear subservient in terms of height, mass and scale** – a variety of angles of roof pitch and flat roof elements exist in the surrounding area, with the proposed design both reflecting these and ensuring that the proposed extension does not exceed the existing roof height, while at the same time reducing the built footprint compared with that of the existing garage, such that there is again no justification for saying that it would not be of an appropriate height, massing or scale.
- **As the side extension would be readily publicly visible on the streetscape, it would have an adverse impact on the visual character of Colthill Road. The proposal would therefore adversely affect the character and visual amenity of the surrounding area** – as stated previously, all the features of the proposed extension already exist in the surrounding area and are publicly visible from the street, such as these would not have any adverse impact on its character or visual amenity.
- **The proposal would therefore conflict with Policies H1 - Residential Areas and D1 - Quality Placemaking by Design of the Aberdeen Local Development Plan; and the Supplementary Guidance: 'The Householder Development Guide'** – how the proposed extension complies with Policies H1 and D1 and the Supplementary Guidance: The Householder Development Guide is set out in paragraphs 3.9 to 3.19 above.
- **There are no material considerations that warrant the grant of planning permission in this instance** – as the proposed extension complies with the Development Plan and in the absence of any material considerations that indicate otherwise, the application should be granted.



6 Conclusion

- 6.1 For the reasons given above, it is submitted that the proposed development is in accordance with Development Policies Policy H1 – Residential Areas, Policy D1 – Quality Placemaking by Design and associated Supplementary Guidance: Householder Development Guide and, in the absence of any material considerations that indicate otherwise, the application should be approved.



Appendix One : List of documents submitted with Notice of Review

Planning application documents

1. Application Form
2. Site Location Plan
3. Existing Site Plan
4. Existing Elevations
5. Existing Ground Floor Plan
6. Existing 1st Floor Plan
7. Proposed Site Plan
8. Proposed Elevations
9. Proposed Ground Floor Plan
10. Proposed 1st Floor Plan
11. Neighbour Notification List
12. Roads Development Management Consultation Response 1
13. Roads Development Management Consultation Response 2
14. Roads Development Management Consultation Response 3
15. Decision Notice
16. Delegated Report

Policy Documents

17. Aberdeen City and Shire Strategic Development Plan (2014)
18. Aberdeen Local Development Plan (2017)
19. Supplementary Guidance (SG) Householder Development Guide

Other documents

20. Town and Country Planning (General Permitted Development) (Scotland) Order 1992
(as amended), Schedule 1, Class 1B





Strategic Place Planning

Report of Handling

Site Address:	25 Gray Street, Aberdeen, AB10 6JD.
Application Description:	Replacement windows to front
Application Ref:	181632/DPP
Application Type:	Detailed Planning Permission
Application Date:	17 September 2018
Applicant:	Mr Keith Walker
Ward:	Airyhall/Broomhill/Garthdee
Community Council:	Ashley And Broomhill
Case Officer:	Sheila Robertson

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

The application property is a traditional 2.5 storey, end terraced dwelling, of granite and slate construction, located on the north-eastern side of Gray Street, and within the Great Western Road Conservation Area. The principal elevation features bay windows over 2 storeys, topped by a hipped, pitched roof, and a single window above the front door. All windows are of a casement style, in white painted timber, with a third/two thirds split. The lower panes are fixed with a top opening section.

Relevant Planning History

An application (151179) to install roof lights, new window, patio doors and gate to the rear, and replace all windows to the rear elevation was approved in September 2015.

APPLICATION DESCRIPTION

Description of Proposal

Replacement of all timber casement windows to the principal elevation with white uPVC frames with a sash and case opening mechanism.

Supporting Documents

All drawings and supporting documents listed below can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PF6ZOQBZHEW00>

CONSULTATIONS/ REPRESENTATIONS

Ashley and Broomhill Community Council - No response received.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS)

Aberdeen Local Development Plan (ADLP)

Policies D1 (Quality Placemaking by Design) and D4 (Historic Environment)

Supplementary Guidance

The Repair and Replacement of Windows and Doors

Other Material Considerations

Historic Scotland's Managing Change in the Historic Environment: Windows, and Great Western Road Conservation Area Character Appraisal

EVALUATION

Principle of Development

The application site is in a residential area, under Policy H1 (Residential Areas) of the ALDP and the proposal relates to householder development. As the existing windows are not original or of historic design, the principle of their replacement is acceptable however such replacements must not adversely affect the character and amenity of the surrounding area and comply with the SG. These issues are assessed in the following evaluation.

Proposed Replacement Windows

The property would have originally been fitted with timber sash and case windows, and the existing windows are non-original timber replacements in a casement style. The Supplementary Guidance contained in The Repair and Replacement of Windows and Doors indicates that opportunities to replace unsympathetic modern windows and doors with those of traditional design and materials within Conservation Areas will be supported. The guidance contained in the 'Managing Change in the Historic Environment: Windows' advises that replacement windows should generally seek to match the original windows not only in terms of design, form and method of opening but also framing materials. The reinstatement of the original types and arrangements of windows and doors will therefore be encouraged except where there is a demonstrable benefit in retaining later fenestration as examples of window and glazing technology. If there is no indication what the original windows were like, then authentic historic precedents can usually often be found on neighbouring properties. The guidance further states that the installation of uPVC one over one sash and case windows will be allowed where there are existing approved one over one sash and case uPVC windows.

In terms of context, there are many surviving examples of timber framed sash and case windows in the immediate area, and by far the predominant characteristic to the eastern side of Gray Street is one of timber framed windows, generally of a sash and case style. There are no examples in the immediate surrounding properties whereby traditional timber framed windows have been replaced with uPVC under current policies and guidance. The most recent application for planning

permission (170567) to change windows from timber sash and case to PVC at 43 Gray Street was refused in May 2017.

Based on the above principles, whilst the proposed replacement windows satisfy the guidance by proposing historically accurate replacements in terms of proportions, profile and opening mechanism, a traditional framing material, timber, would be lost and replaced by a modern material, uPVC, which is considered to be an inappropriate material in terms of the historic character of the building and surrounding Conservation Area, and this stance is also reflected in the associated Managing Change Document. Given their public location and the contribution that timber windows make to both the character of the original building and the conservation area, the replacement windows as proposed, would introduce a modern framing material, inconsistent with the prevailing character of surrounding properties. The Great Western Road Area Character Appraisal has identified removal of timber windows and installation of uPVC replacements as a weakness in this conservation area. Therefore the grant of planning permission for the proposed modern uPVC windows would set an unwelcome precedent for similar development and, cumulatively, the loss of traditional materials would erode the character and appearance of the conservation area. As such the proposal has not taken into consideration the correct use of materials that would complement the original dwelling and the installation of uPVC windows to the principal elevation and loss of a traditional framing material would fail to preserve and enhance the historic character of both the dwelling house and the wider Conservation Area contrary to Policy D4. The proposal would not make a positive contribution to the setting of the Conservation Area and would therefore be contrary to, and not in compliance with national and local policies and guidance and would fail to meet the aims of the Conservation Area Character Appraisal.

Conclusion

It is therefore considered that the proposed window replacements have not been designed with due consideration for the property's setting within a Conservation Area and therefore contravenes Policy D1 (Quality Placemaking by Design) and the SG which encourages the retention of timber as a framing material within Conservation Areas. There are no material planning considerations that would warrant approval of planning permission in this instance.

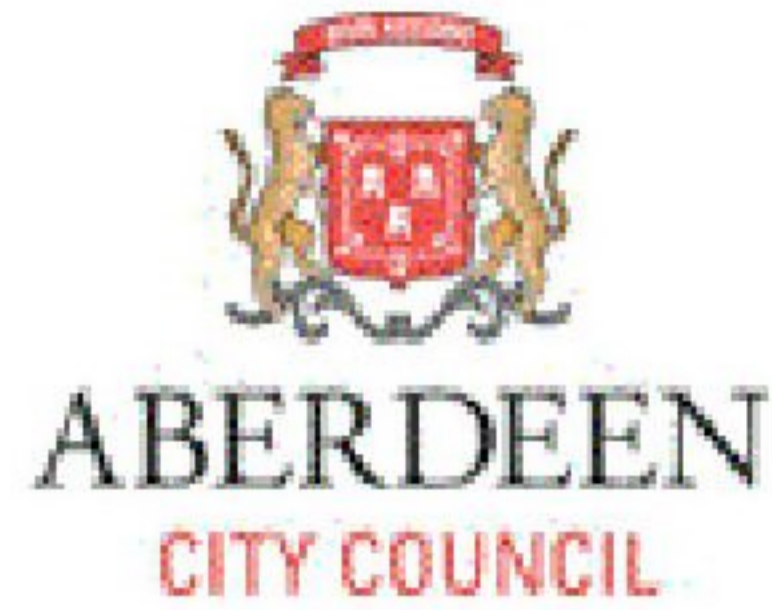
RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

The proposed replacement windows would result in the loss of a traditional framing material to a publicly visible elevation and, as such, fails to demonstrate due regard for the context whereby the retention and reinstatement of traditional window forms and materials, or suitably sympathetic alternatives, are necessary to maintain and enhance the character of the conservation area. The use of uPVC, and loss of a traditional material to the principal elevation, would adversely affect the historic architectural integrity of the original building and have a negative impact on the historic character and visual appearance of the surrounding Great Western Road Conservation Area. The proposal would therefore conflict with the principles of Scottish Planning Policy; Historic Environment Scotland Policy Statement; as well as Policies H1 (Residential Areas), D4 (Historic Environment) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Repair and Replacement of Windows and Doors'; the aims of the Great Western Road Conservation Area Character Appraisal; and Historic Environment Scotland's Managing Change in the Historic Environment: Windows'. Approval would risk setting an unwelcome precedent for further unsympathetic window replacements within the conservation area which, if replicated, could lead to significant cumulative erosion of its character and appearance, contrary to the aims of the Great Western Road Conservation Area Character

Appraisal. There are no material planning considerations which would warrant approval of planning permission in this instance.



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100137237-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

REMOVE TIMBER CASEMENT WINDOWS AT FRONT OF DWELLING HOUSE AND REPLACE WITH SLIDING SASH AND CASE WINDOWS

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	WILLIAM F FORBES LTD		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	WILLIAM	Building Name:	
Last Name: *	FORBES	Building Number:	3
Telephone Number: *	01224 824079	Address 1 (Street): *	FAIRVIEW GROVE
Extension Number:		Address 2:	DANESTONE
Mobile Number:		Town/City: *	ABERDEEN
Fax Number:		Country: *	SCOTLAND
		Postcode: *	AB22 8ZE
Email Address: *	w.forbes16@hotmail.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	KEITH	Building Number:	25
Last Name: *	WALKER	Address 1 (Street): *	GRAY STREET
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	ABERDEEN
Extension Number:		Country: *	SCOTLAND
Mobile Number:		Postcode: *	AB10 6JD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

25 GRAY STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 6JD

Please identify/describe the location of the site or sites

Northing

804758

Easting

392474

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: WILLIAM FORBES

On behalf of: Mr KEITH WALKER

Date: 17/09/2018

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr WILLIAM FORBES

Declaration Date: 17/09/2018

Payment Details

Online payment: ABSP00003237
Payment date: 17/09/2018 09:18:00

Created: 17/09/2018 09:19

DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Detailed Planning Permission

William F Forbes Ltd
3 Fairview Grove
Danestone
Aberdeen
AB22 8ZE

on behalf of **Mr Keith Walker**

With reference to your application validly received on 17 September 2018 for the following development:-

Replacement windows to front at 25 Gray Street, Aberdeen

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION** for the said development in accordance with the particulars given in the application form and the following plans and documents:

<u>Drawing Number</u>	<u>Drawing Type</u>
KW01/04	Location Plan
KW01/02	South Elevation (Proposed)
KW01/06	Other Drawing or Plan

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

The proposed replacement windows would result in the loss of a traditional framing material to a publicly visible elevation and, as such, fails to demonstrate due regard for the context whereby the retention and reinstatement of traditional window forms and materials, or suitably sympathetic alternatives, are necessary to maintain and enhance the character of the conservation area. The use of uPVC, and loss of a

traditional material to the principal elevation, would adversely affect the historic architectural integrity of the original building and have a negative impact on the historic character and visual appearance of the surrounding Great Western Road Conservation Area. The proposal would therefore conflict with the principles of Scottish Planning Policy; Historic Environment Scotland Policy Statement; as well as Policies H1 (Residential Areas), D4 (Historic Environment) and D1 (Quality Placemaking by Design) of the Aberdeen Local Development Plan; the Supplementary Guidance: 'The Repair and Replacement of Windows and Doors'; the aims of the Great Western Road Conservation Area Character Appraisal; and Historic Environment Scotland's Managing Change in the Historic Environment: Windows'. Approval would risk setting an unwelcome precedent for further unsympathetic window replacements within the conservation area which, if replicated, could lead to significant cumulative erosion of its character and appearance, contrary to the aims of the Great Western Road Conservation Area Character Appraisal. There are no material planning considerations which would warrant approval of planning permission in this instance.

Date of Signing 16 November 2018



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED WITH APPLICANT (S32A of 1997 Act)

None.

RIGHT OF APPEAL THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission;
- b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission;
- c) to grant planning permission or any approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

SERVICE OF PURCHASE NOTICE WHERE INTERESTS ARE AFFECTED BY A PLANNING DECISION

If permission to develop land is refused and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development that would be permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

D1: Quality Placemaking by Design

H1: Residential Areas

<https://www.aberdeencity.gov.uk/services/planning-and-building/development-plan>

Supplementary Guidance

Householder Development Guide

<https://www.aberdeencity.gov.uk/sites/default/files/2.1.PolicySG.HouseHoldDesignGuide.pdf>

Transport and Accessibility

<https://www.aberdeencity.gov.uk/sites/default/files/5.1.PolicySG.TransportAccessibility.pdf>

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Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100147688-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Keith"/>	Building Number:	<input type="text" value="25"/>
Last Name: *	<input type="text" value="Walker"/>	Address 1 (Street): *	<input type="text" value="Gray Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value="[REDACTED]"/>	Postcode: *	<input type="text" value="AB10 6JD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

25 GRAY STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB10 6JD

Please identify/describe the location of the site or sites

Northing

804758

Easting

392474

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Replacement sash and case windows in wood effect u.v.p.c from non-conforming 'Top opening' windows.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Supporting Documents and Letter of Objection

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

1. Letter of objection 2. Addendum to show the Councils previous acceptances 3. Photos 23 & 36 Gray Street to show the latest uPVC wood effect. 4. Photo showing the side of Gray Street we live on and Sash and Case 'Uniformity' 5. Photo 25 Gray Street presently. 6. Historic Environment Scotland's Managing Change in the Historic Environment Windows - Page 13; Clause on Alteration 7. KW0101 Existing Elevation 8. KW0102 Proposed Elevation 9. KW0103 Window Details 10. KW0104 Location Plan

Application Details

Please provide details of the application and decision.

What is the application reference number? *

181632/DPP

What date was the application submitted to the planning authority? *

17/09/2018

What date was the decision issued by the planning authority? *

16/11/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

It may be appropriate for this case to see the Sash and Case styles on the odd numbered side of Gray Street as opposed to our present Top Opening Windows. Also to see from the road, the windows presently installed in 23, 34 (upstairs flat) and 36 to note the similarity to wood windows. Also with regard to the City Conservation Document for Great Western Road Section 3.3.1 Views/vistas/glimpses to see the location of our house as you come round the bend looking south on Gray Street.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Keith Walker

Declaration Date: 22/01/2019

Objection to Refusal of Planning Permission for 25 Gray Street

Original Application Ref: 181632/DPP

Online Appeal Ref: 100147688-001

We contact you with reference to our application for replacement windows at 25 Gray Street and the City Council refusal dated 16 November 2018.

Firstly, I would like to re-iterate what we are trying to achieve with our planning permission for the windows.

1. We now have leaks on the window frames.
2. The upstairs front elevation windows, from a safety aspect are dangerous if there was ever a need to escape from these windows.
3. The present windows have been replaced and do not conform to what would have been the original style. Our aim is to reinstate the windows to a proper sash and case style in a cost effective, low maintenance manner.

I have read through the various Principles and Policies as noted in the letter.

In the document 'Historic Environment Scotland's Managing Change in the Historic Environment Windows' Page 13; Alteration (Copy of full Paragraph attached).

'In other cases the windows may be modern replacements, sometimes inexact copies of the original examples, or using inappropriate sections or materials. In such cases it should be acceptable to replace the windows with an aim to regain the original design intention or improve the existing situation. '

I believe this is what we are trying to achieve.

In summary ,if we dissect the letter from Mr Lewis dated 16 November 2018, we understand the reasons for refusal are as follows:-

1. "...Retention and reinstatement of traditional window forms and materials or suitably sympathetic alternatives are necessary to maintain and enhance the character of the conservation area."
2. "...adversely affect the historical architecture integrity of the original building & have a negative impact on the historic character and visual appearance of the surrounding Great Western Road Conservation Area."
3. "Approval would risk setting an unwelcome precedent for further unsympathetic window replacements..."
4. "No material planning consideration which would warrant approval"


The basis of our appeal is as follows.

- A. We have looked at all the Houses and Flats on Gray Street within the Conservation Area (Even Numbers 10–86 and Odd 11-69). **The whole area has 74% use of uPVC, and the side we live on has actually 76%.** We feel the points raised in 1 and 2 above really do not take into account what has actually happened on Gray Street over the years.
- B. On the side of the street we live, there has been an attempt to keep to a Sash and Case style (photo attached). Our house differs with the others because we are one of two that has ‘top opening’ windows. Our application was to take these out and replace them with modern sustainable materials, wood grain effect, fully functioning Sash and Case opening windows. These windows would be White Foil Grained made by Polyframe who use the German VEKA Profile, giving the necessary wood effect. From the street you cannot tell the difference to wood (please see the photos of Numbers 23 and 36, these are wood grain effect). Since reference is made to ‘historical architecture integrity’, we believe that is helping point 2, not working against it.
- C. We have looked back at the City Planning Approvals for Gray Street with regard to replacement windows. The last four approved were all uPVC for wood replacements, including our immediate neighbours at 23 and across the road at 34 and 36. I attach extracts from the Planning Site for each application. We note in particular the Council use of the phrases **“The replacement windows would sit well with the property and fully comply with Policy H1 (Residential Areas) of the Aberdeen Local Development Plan and with the related Technical Advice Note. The proposals uphold the principles of Historic Scotland’s SHEP that seeks to preserve and enhance the character and amenity of the Conservation Area”**.

Frankly we are at a loss as to how identical previous installations can be considered to “..sit well within the area” and “..preserve and enhance character..” when what we are applying for does not. This feels like selective discrimination. What is different for our property windows in relation to the other 76%?

- D. With regard to Note C, and refusal reason 3, we would suggest the **precedent** has already been set, with the Council noting these types of windows would “sit well” in the area, and of course our previous note A with regard to the amount of uPVC windows in the street.
- E. Our notes at the beginning with reference to both Historic Scotland.

Yours sincerely
Keith Walker

 <p>ABERDEEN CITY COUNCIL</p>	<h2 style="margin: 0;">Strategic Place Planning</h2> <hr/> <p style="margin: 0;">Report of Handling</p>
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Site Address:	Mundurno, Tarves Road, Aberdeen, AB23 8BN
Application Description:	Erection of two dwelling houses
Application Ref:	181513/PPP
Application Type:	Planning Permission in Principle
Application Date:	29 August 2018
Applicant:	Skarradon Developments Ltd
Ward:	Bridge Of Don
Community Council:	Bridge Of Don
Case Officer:	Dineke Brasier

RECOMMENDATION

Refuse

APPLICATION BACKGROUND

Site Description

An irregularly shaped and generally level area (c.0.2 hectares) located to the south-east of Mundurno steading, itself to the east of the B999 Tarves Road and to the north of Bridge of Don and within the identified Green Belt. The site previously contained two buildings, the outlines of which are still visible. Much is now overgrown, with the central area cleared and in use as a storage area during the ongoing conversion of the steading buildings

To the west, south and east are clusters of mature trees. Further to the east and south are agricultural fields, with Mundurno steading to the north-west. The site itself is relatively level, with a gradual slope of c.1m away from the steading.

Relevant Planning History

- 161156/DPP – Conversion of steading to 4 residential properties, construction of detached garage block and conversion of existing bothy to external store – Approved on 9th November 2016
- 151715 – Construction of two storey side extension to farmhouse – Approved on 15th December 2015

APPLICATION DESCRIPTION

Description of Proposal

Seeks Planning Permission in Principle (PPiP) for construction of two detached dwellings. Dwellings are indicatively shown as single storey, with additional accommodation in the roof space, with eaves heights of c.3.2m and ridge height of c.7m. Full floorplans have not been provided, although an indicative ground floor layout shows each dwelling incorporating a double

garage, large open plan living areas and a single bedroom on the ground floor, with stairs leading up to the first floor. Both dwellings would be based on an L-plan form, and have an overall footprint of c.245m².

Supporting Documents

All drawings can be viewed on the Council's website at:

<https://publicaccess.aberdeencity.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PDYXL4BZGUS00>

CONSULTATIONS

ACC - Roads Development Management Team – Advise that although sufficient parking could be provided the allocation is very unsustainable, and would be highly car dependent, and nearest bus stops are some distance away. Access arrangements for refuse and emergency vehicles are queried.

ACC - Flooding And Coastal Protection – No objections, but recommend the use of permeable materials and rain water harvesting in the design.

ACC - Environmental Health – Note that it is proposed to connect to the mains water supply, which is appropriate. Request that suitable demonstration of such connection is established.

ACC - Waste Strategy Team – Recommend sharing of the communal waste and recycling facilities proposed for the steading conversion.

REPRESENTATIONS

1 objection has been received, setting out that the proposed land use would not be compatible with policies NE1 (Green Space Network) and NE2 (Green Belt) of the 2017 Aberdeen Local Development Plan.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

Scottish Planning Policy paragraphs 49-52 sets out uses appropriate to the green belt.

Aberdeen Local Development Plan (2017)

NE2: Green Belt

NE5: Trees and Woodland

NE6: Flooding, Drainage and Water Quality

NE8: Natural Heritage

D1: Quality Placemaking by Design

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Buildings, and Water Efficiency

Supplementary Guidance and Technical Advice Notes

Supplementary Guidance:

- Transport and Accessibility
- Trees and Woodlands

EVALUATION

Principle of Development

Scottish Planning Policy sets out that green belts can be used to direct development to the most appropriate location; protect and enhance the character, landscape setting and identity of the settlement; and protect and provide access to open space. To enable this, local development plans should describe the types and scales of development which would be appropriate within the green belt. Aberdeen's Local Development Plan sets out that, within areas designated as Green Belt, policy NE2 (Green Belt) applies. Policy NE2 sets out that no development will be permitted for purposes other than those essential for: agriculture, woodland and forestry, recreational uses compatible with an agricultural setting, mineral extraction or restoration, or landscape renewal. These categories of development are consistent with the types of development listed in SPP as suitable within a green belt setting.

In this case, the proposal is for the construction of two detached dwellings. These dwellings would be additional to the four units approved under 161156/DPP as part of the steading conversion, and the original farm house. Policy NE2 includes five stated exceptions allowing for other types of development as described above. The conversion of existing buildings within green belt locations would fall under exception four, and as such, this conversion element of development on the wider site was considered acceptable and in compliance with policy NE2.

This current proposal does not involve any such conversion, nor would it represent any of the other exception scenarios. As such, the principle of this development is not in line with the provisions of NE2, and thus the proposal is contrary to that policy. It is therefore considered that the proposal would conflict with the aim of the green belt, which is to direct growth to the most suitable locations; prevent urban sprawl on the edge of the city; and maintain Aberdeen's landscape setting – providing a clear physical boundary between the city and the surrounding countryside.

No material considerations are set out in the submission, or are evident, to demonstrate any case for departing from the provisions of the development plan.

The proposed site plan shows the outline of two former buildings. However, as these are outlines of historic buildings rather than existing buildings present on site, no case can be made that the proposed dwellings would constitute either:

- a. a conversion of existing buildings (exception 4); or
- b. a replacement dwelling (exception 5).

Additionally exception 1 allows for development associated with existing activity in the green belt, if all of the below criteria are met:

- a. The development is within the boundary of the existing activity;
- b. The development is small-scale;
- c. The intensity of activity is not significantly increased; and

d. Any proposed built construction is ancillary to what exists.

In this case, there is no existing residential activity ongoing at the site, nor is it within the curtilage of the existing farmhouse; the steading in itself being in the process of being converted to residential use, but last used for agricultural purposes. Furthermore, whilst taking consideration of the existing development approved on the site, the construction of a further two large detached dwellings would not be considered small scale, nor would it be ancillary to any buildings currently on the site. Ultimately this proposal would involve the construction of two entirely new dwellings and the formation of two entirely new residential plots. Finally, the proposal would result in a significant increase in the overall intensity of the residential use of the wider grouping, going from five to seven dwellings by 40%. As such, it is considered that none of the criteria of exception 1 would be met.

Taking account of the above, the proposal would be contrary to policy NE2 (Green Belt) of the 2017 Aberdeen Local Development Plan and paragraphs 49-52 of Scottish Planning Policy, relating to development in areas designated as Green Belt.

Other matters:

Trees

Notwithstanding the fact that the principle of the proposed development is not accepted, there are further concerns in relation to the proximity of existing mature trees to both garden areas and the proposed dwellings. Particularly, to the west, just outside the boundary is a row of mature trees, including sycamore and other broad leaf species. These are plotted on the site plan, but no Tree Survey been submitted. Supplementary Guidance on Trees and Woodlands (SG) sets out that applications for planning in principle should be supported by a tree survey, including an arboricultural impact assessment, tree protection plan and arboricultural method statement, if there are trees within a 15m radius from the site boundary. In this case, the nearest trees are just within the site boundary in the south east corner, and set at a distance of c.3m from the west boundary. As such, there is a lack of information to assess the extent of impact on these trees.

However, based on a site visit and the indicative distance shown between the trees and the western dwelling, it is anticipated that the proposal could have a negative impact on these trees as a result of encroachment within Root Protection Areas (RPAs).

Importantly the Supplementary Guidance on Trees and Woodlands sets out that buildings and structures should generally be located outside the 'Zone of Influence' (ZOI) of a tree. The ZOI is generally perceived to be the distance required to ensure existing trees will not result in a reduction in residential amenity caused through a loss of daylight/excessive shade, or be seen as a 'threat' to development due to their proximity to buildings. In this case, due to the orientation of the buildings, it is mainly the latter that could be a concern.

The ZOI is generally considered to be the distance from the bottom of a tree equal to its mature height. In this case, the distance between the proposed dwelling and the nearest tree is c.8m, less than the likely height of the nearest tree, and thus would fall within the ZOI. Policy NE5 sets out that there is a presumption against development that would result in the loss of, or damage to trees and woodlands that contribute to nature conservation, landscape character or local amenity. In this case, the existing tree belt is a significant feature within the surrounding landscape, including when viewed from the B999 to the south. These trees mark out, contain and screen Mundurno from views from the road. As such, any loss of these trees would be contrary to NE5. Thus, as insufficient information has been provided to the contrary, it is considered that the proposal is likely to have a detrimental impact on mature trees and would not comply with policy NE5 and Supplementary Guidance on Trees and Woodlands.

Protected species

Due to the nature of the buildings, and the surrounding mature trees, the wider Mundurno site could be suitable as a habitat for bats. However, the site plan does not show the removal of any existing mature trees, nor are there any existing buildings on this part of the site. As such, in this instance a bat survey would not be required and the proposal would be compliant with policy NE8.

Parking

The proposal does not specify the number of bedrooms within each individual property. However, each dwelling would have an integral double garage with further space for parking on the driveway in front. As such, sufficient parking could be provided.

Supplementary Guidance on Transport and Accessibility sets out that all new development should be within 400m of a bus stop, and should be connected to safe pedestrian and cycle paths. This guidance is connected to the aims and objectives of policies T2 and T3. Similarly, policy D1 sets out that a good development should be easy to get to/move around, and should aim to promote sustainable transport methods. In this case, the proposed development would be completely reliant on the use of the private car as there is no public transport provision within 400m and there are no safe separated walking and cycling routes along the B999 in either north or south direction. As such, it would be considered to be in an entirely unsustainable location. Whilst this was acceptable for the steading conversion as the rehabilitation of these existing buildings into a new use acted as a mitigating factor for the unsustainable location of the site, this would not be the case for two new additional dwellings. As such, due to its unsustainable location and reliance on the private car, the proposal is considered to be contrary to policy requirements in policies T2, T3 and D1 and Supplementary Guidance on Transport and Accessibility.

Flooding, Waste and Low and Zero Carbon Measures

Both the Council's Flooding and Waste Teams have commented on the application, and do not raise any insurmountable concerns. Furthermore, the applicant has indicated that he wishes to connect the properties to mains water supply, which would be the most acceptable method of providing water to new properties. The proposal is therefore in compliance with policies relevant to these matters, R6 and NE6.

Policy R7 sets out that all new buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target through the installation of low and zero carbon generating technology. No information has been submitted as to how these houses would achieve this target. However, it is considered that this information could be submitted as part of any future MSC applications if the principle of the development were to have been deemed acceptable.

RECOMMENDATION

Refuse

REASON FOR RECOMMENDATION

1. The proposed development would not be essential for the types of development generally acceptable in the green belt, including agriculture; woodland/forestry; recreational uses compatible with an agricultural or natural setting, mineral extraction/quarry restoration; or landscape renewal. Neither would it be compliant with any of the exceptions listed in policy NE2, as the proposal would not facilitate the rehabilitation of existing buildings; nor would it comply with all criteria for proposals for development associated with existing activities in the green belt. As such, it is considered that the proposal would be contrary to the overriding aims of protection of the green belt, which include maintaining a distinct identity and clear physical boundary around Aberdeen; directing growth to the most suitable locations; and preventing

urban sprawl. It would therefore be contrary to Scottish Planning Policy – paragraphs 49-52 and policy N2 (Green Belt) of the 2017 Aberdeen Local Development Plan.

2. Supplementary Guidance on Trees and Woodlands sets out that any proposal for planning in principle should be supported by a Tree Survey where any trees are within 15m of the site boundary. In this case, this information has not been provided, and it is therefore not possible to fully assess the impact of the proposal on the mature trees immediately to the west of the site. However, due to the limited distance between the trees and the proposed western most dwelling, it is likely that this will intrude into the zone of influence and root protection areas of these trees. Due to the proximity of the trees to the proposed dwellings, these could have an adverse impact on residential amenity due to loss of day light/ excessive overshadowing, which could result in a requirement to remove the trees in the future. Policy NE5 (Trees and Woodlands) carries a presumption against development that will have an adverse impact on mature trees, and as such, the proposal would not comply with this policy or with Supplementary Guidance on Trees and Woodlands.
3. The site is located in an unsustainable location as it would not be easily accessible by public transport and is not connected to safe walking and cycling routes. As such, the proposal would be entirely reliant on the private car. Policies D1 (Quality Placemaking by Design), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) and Supplementary Guidance on Transport and Accessibility sets out that all new development should promote access to sustainable transport methods, and as such the proposal is considered contrary to the requirements of these policies.



Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100132417-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

To erect 2no. new dwellings on brownfield land adjacent to Mundurno Farmhouse.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Taylor Architecture and Building Consultants Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Steven	Building Name:	<input type="text"/>
Last Name: *	Taylor	Building Number:	24
Telephone Number: *	07500026150	Address 1 (Street): *	Oldmeldrum Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Newmachar
Fax Number:	<input type="text"/>	Country: *	Aberdeenshire
		Postcode: *	AB21 0PJ
Email Address: *	Steven@taylorarchitecture.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	Skarra Don
First Name: *	Rob	Building Number:	<input type="text"/>
Last Name: *	Wraith	Address 1 (Street): *	Dyce
Company/Organisation	Skarradon Developments Ltd	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Aberdeen
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	AB21 0HD
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Aberdeen City Council

Full postal address of the site (including postcode where available):

Address 1:

MUNDURNO

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERDEEN

Post Code:

AB23 8BN

Please identify/describe the location of the site or sites

Northing

812995

Easting

394443

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

2053.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Agricultural Outbuildings

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Proposed SW and FW Soak-aways to each plot

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Steven Taylor

On behalf of: Skarradon Developments Ltd

Date: 23/08/2018

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|------------------------------|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Steven Taylor

Declaration Date: 24/08/2018

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DECISION NOTICE

The Town and Country Planning (Scotland) Act 1997

Planning Permission in Principle

Steven Taylor
Taylor Architecture and Building Consultants Ltd
24 Oldmeldrum Road
Newmachar
Aberdeenshire
AB21 0PJ

on behalf of **Skarradon Developments Ltd**

With reference to your application validly received on 29.08.2018
for the following development:-

Erection of two dwelling houses at Mundurno, Tarves Road

Aberdeen City Council in exercise of their powers under the above mentioned Act hereby **REFUSE PLANNING PERMISSION IN PRINCIPLE** for the said development in accordance with the particulars given in the application form and the following plans and documents:

Drawing Number	Drawing Type
L[90]100	Location Plan
L[05]003	Multiple Elevations (Proposed)
L[90]001	Site Layout (Proposed)
L[05]001	Site Cross Section
L[05]100	3D Visualisation
L[05]002	Site Cross Section
Site Block Plan	Location Plan

REASON FOR DECISION

The reasons on which the Council has based this decision are as follows:-

1. The proposed development would not be essential for the types of development generally acceptable in the green belt, including agriculture; woodland/forestry; recreational uses compatible with an agricultural or natural setting, mineral extraction/quarry restoration; or landscape renewal. Neither would it be compliant with any of the exceptions listed in policy NE2, as the proposal would not facilitate the rehabilitation of existing buildings; nor would it comply with all criteria for proposals for development associated with existing activities in the green belt. As such, it is considered that the proposal would be contrary to the overriding aims of protection of the green belt, which include maintaining a distinct identity and clear physical boundary around Aberdeen; directing growth to the most suitable locations; and preventing urban sprawl. It would therefore be contrary to Scottish Planning Policy - paragraphs 49-52 and policy N2 (Green Belt) of the 2017 Aberdeen Local Development Plan.
2. Supplementary Guidance on Trees and Woodlands sets out that any proposal for planning in principle should be supported by a Tree Survey where any trees are within 15m of the site boundary. In this case, this information has not been provided, and it is therefore not possible to fully assess the impact of the proposal on the mature trees immediately to the west of the site. However, due to the limited distance between the trees and the proposed western most dwelling, it is likely that this will intrude into the zone of influence and root protection areas of these trees. Due to the proximity of the trees to the proposed dwellings, these could have an adverse impact on residential amenity due to loss of day light/ excessive overshadowing, which could result in a requirement to remove the trees in the future. Policy NE5 (Trees and Woodlands) carries a presumption against development that will have an adverse impact on mature trees, and as such, the proposal would not comply with this policy or with Supplementary Guidance on Trees and Woodlands.
3. The site is located in an unsustainable location as it would not be easily accessible by public transport and is not connected to safe walking and cycling routes. As such, the proposal would be entirely reliant on the private car. Policies D1 (Quality Placemaking by Design), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) and Supplementary Guidance on Transport and Accessibility sets out that all new development should promote access to sustainable transport methods, and as such the proposal is considered contrary to the requirements of these policies.

Date of Signing 18 October 2018



Daniel Lewis
Development Management Manager

IMPORTANT INFORMATION RELATED TO THIS DECISION

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AS AGREED
WITH APPLICANT (S32A of 1997 Act)**

RIGHT OF APPEAL

If the applicant is aggrieved by the decision of the planning authority –

- a) to refuse planning permission for the proposed development;
- b) to refuse approval, consent or agreement require by a condition imposed on a grant of planning permissions;
- c) to grant planning permission or approval, consent or agreement subject to conditions,

the applicant may require the planning authority to review the case under section 43A(8) of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Any requests for a review must be made on a 'Notice of Review' form available from the planning authority or at www.eplanning.scot.

Notices of review submitted by post should be sent to Strategic Place Planning (address at the top of this decision notice).

If permission to develop land is granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in it's existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been permitted, the owners of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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Consultee Comments for Planning Application 181513/PPP

Application Summary

Application Number: 181513/PPP

Address: Mundurno Tarves Road Aberdeen AB23 8BN

Proposal: Erection of two dwelling houses

Case Officer: Dineke Brasier

Consultee Details

Name: Mr Mark Nicholl

Address: Aberdeen City Council, Marischal College, Broad Street, Aberdeen AB10 1AB

Email: mnicholl@aberdeencity.gov.uk

On Behalf Of: ACC - Environmental Health

Comments

COMMENTS

With regard to the above Planning Permission in Principle Application an environmental health assessment was carried out. The following areas have been evaluated and the associated comments are considered appropriate;

1. Mains Water Supply

As stated in the planning permission application the applicant proposes to connect to the Scottish Water mains water supply. Due to the public health risks associated with inadequate private water supply sources, associated sampling, treatment and system maintenance costs and the risk of insufficient supply during dry periods, a mains water supply is considered the most appropriate supply type.

Given the rural location of the proposal and the possibility of an alternative potentially unsuitable private water supply, I therefore recommend suitable demonstration by the applicant that a mains water supply has been established at the property.

I trust this information is of use.

Kind regards

Responding Officer: Mark Nicholl

Date: 04-09-18

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MEMO



ABERDEEN
CITY COUNCIL

To	D Brasier Planning & Infrastructure	Date	30/08/18
		Your Ref.	181513
		Our Ref.	
From	Flooding		
Email	pa.flooding@aberdeencity.gov.uk		
Dial	01224 53 2387		
Fax			

Flooding
Operations and Protective Services
Aberdeen City Council
Business Hub 11,
2nd Floor West,
Marischal College
Broad Street
Aberdeen AB10 1AB

Planning application no.181513

ACC Flood Team have no objections to make on this application as it does not pose a flood risk. We would strongly recommend the use of permeable materials and rain water harvesting where suitable in the design.

Regards
Katy Joy Goodall - Flooding & Coastal

Rob Polkinghorne

Chief Operating Officer

Operations and Protective Services

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Consultee Comments for Planning Application 181513/PPP

Application Summary

Application Number: 181513/PPP

Address: Mundurno Tarves Road Aberdeen AB23 8BN

Proposal: Erection of two dwelling houses

Case Officer: Dineke Brasier

Consultee Details

Name: Mr scott lynch

Address: Marischal College, Gallowgate, Aberdeen AB10 1YS

Email: slynch@aberdeencity.gov.uk

On Behalf Of: ACC - Roads Development Management Team

Comments

I note that this application is for the erection of two dwelling houses at Mundurno, Tarves Road. The site is located in the outer city, outwith any controlled parking zone.

Although it is not clear how many bedrooms each property consists of (and therefore how many parking spaces are required), the maximum number of spaces we can request are 3 per property, and each property has a double driveway and a significant driveway, as such, parking is unlikely to be an issue.

It is not clear what specific material is proposed for the driveway (it is denoted as rough ground), and no surface water is permitted to drain onto adopted surfaces. However, the nearest adopted surface is ~200m away, so this is not a concern.

It is not stated how many properties Tarves Road now serves, however if it is 6 or greater, it is eligible for adoption should the applicant / existing residents want it, however this would require the existing road to be brought up to an adoptable standard.

I would query what the proposed refuse collection plan is for the site? Are refuse collection vehicles expected to pass the existing bothy and turn within the site, or is there a bin stance elsewhere? What is the remaining width of the road passing the bothy, this is required to establish if emergency vehicles have enough room to access the site.

The site is highly vehicle dependent for access. The nearest bus stops are ~ 1km away and there are no footways leading to the site.

There are outstanding queries with this application. Upon receipt of a response from the applicant I will be better placed to provide a comprehensive roads response.

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Aberdeen City Council – Development Management Consultation Request

From: Dineke Brasier	Date: 6 September 2018
Email: dbrasier@aberdeencity.gov.uk	Ref: 181513/PPP
Tel.: 01224 523514	Expiry Date: 27 September 2018

**Planning Permission in Principle
181513/PPP: Erection of two dwelling houses at Mundurno
Tarves Road, Aberdeen
AB23 8BN**

All plans and supporting documentation available at the following link:

<https://publicaccess.aberdeencity.gov.uk/online-application/applicationDetails.do?activeTab=summary&keyVal=PDYXL4BZGUS00>

Please select one of the following

No observations/comments.	
Would make the following comments (please specify below).	Y
Would recommend the following conditions are included with any grant of consent.	Y
Would recommend the following comments are taken into consideration in the determination of the application.	Y
Object to the application (please specify reasons below).	

COMMENTS

Waste Services response regarding application 181513: Mundurno, Tarves rd

As I understand, the development will consist of **2 detached properties**.

I have consulted with colleagues across the waste operations team. I can confirm that Aberdeen City Council intend to provide the following services upon building completion.

Please note the information provided below by Waste Services is independent of the outcome of the planning application, which is being determined by the planning authority.

In reference to application 161156 approved back in 2016, I would propose that the two new properties share the communal waste and recycling bins in the storage area located on the driveway that currently serve the 4 other properties.

- **Each property will receive a food kitchen caddy, binliners and associated information**

It is pertinent to note that these services will be provided taking account of the following:

Specific points

- The bin storage area must be within **30m of all householders** and could the developer clarify if the 2 properties are within this distance?

General points

- **No excess** should be stored out with the containment provided. Information for extra waste uplift is available to residents at either www.aberdeencity.gov.uk/wasteaware or by phoning 03000 200 292.
- Further information can be found in the Waste Supplementary Guidance available at: <https://www.aberdeencity.gov.uk/sites/aberdeen-cms/files/7.1.PolicySG.ResourcesForNewDevelopmentTC.P.4.8.9.12.13.pdf>
- **Developers must contact Aberdeen City Council a minimum of ONE month before the property will be occupied.** Bins **MUST** be on site prior to residents moving into properties.

In the final stages of completion, a representative from Aberdeen City Council's Waste team will assess the site to ensure that all our considerations have been implemented.

Should you have any further queries or wish to discuss these comments further, please do not hesitate to contact me

Responding Officer: Hannah Lynch
Date: 06.09.2018
Email: halynch@aberdeencity.gov.uk
Ext: 87627

Please note: Unless agreed with the Case Officer, should no response be received by the expiry date specified above it will be assumed your Service has no comments to make.

Should further information be required, please let the Case Officer know as soon as possible in order for the information to be requested to allow timeous determination of the application.

Comments for Planning Application 181513/PPP

Application Summary

Application Number: 181513/PPP

Address: Mundurno Tarves Road Aberdeen AB23 8BN

Proposal: Erection of two dwelling houses

Case Officer: Dineke Brasier

Customer Details

Name: Dr Bill Harrison

Address: 16 Summer Place Dyce Aberdeen

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application. Reason: the proposed land use (domestic dwellings) is not consistent with policies NE1 (green-space network) and NE2 (green belt) of the Aberdeen Local Development Plan.

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National Planning Policy

Scottish Planning Policy (SPP)

<https://www.gov.scot/Resource/0045/00453827.pdf>

Aberdeen City and Shire Strategic Development Plan (SDP)

<http://www.aberdeencityandshire-sdpa.gov.uk/nmsruntime/saveasdialog.aspx?IID=1111&SID=90>

Aberdeen Local Development Plan (ALDP)

NE2: Green Belt

NE5: Trees and Woodland

NE6: Flooding, Drainage and Water Quality

NE8: Natural Heritage

D1: Quality Placemaking by Design

D2: Landscape

T2: Managing the Transport Impact of Development

T3: Sustainable and Active Travel

R6: Waste Management Requirements for New Development

R7: Low and Zero Carbon Buildings, and Water Efficiency

CI1: Digital Infrastructure

Supplementary Guidance

Landscape

<https://www.aberdeencity.gov.uk/sites/default/files/1.6.PolicySG.LandscapeSG.pdf>

Transport and Accessibility

<https://www.aberdeencity.gov.uk/sites/default/files/5.1.PolicySG.TransportAccessibility.pdf>

Trees and Woodlands

<https://www.aberdeencity.gov.uk/sites/default/files/6.2.PolicySG.TreesWoodlands.pdf>

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Marischal College Planning & Sustainable Development Business Hub 4, Ground Floor North Broad Street Aberdeen AB10 1AB Tel: 01224 523 470 Fax: 01224 636 181 Email: pi@aberdeencity.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100132417-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Skarra Don"/>
First Name: *	<input type="text" value="Rob"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Wraith"/>	Address 1 (Street): *	<input type="text" value="Dyce"/>
Company/Organisation	<input type="text" value="Skarradon Developments"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB21 0HD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeen City Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="MUNDURNO"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="ABERDEEN"/>
Post Code:	<input type="text" value="AB23 8BN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="812995"/>	Easting	<input type="text" value="394443"/>
----------	-------------------------------------	---------	-------------------------------------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of two dwelling houses at Mundurno, Tarves Road

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Supporting Document

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

L(90)100 Location Plan, L(05)003 Elevations Proposed, L(90)001 Site Layout, L(05) Site Cross Section, L(05)100 3d Visualisation, L(05)002 Site Cross Section, Site Block Plan, Supporting Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

181513/PPP

What date was the application submitted to the planning authority? *

29/08/2018

What date was the decision issued by the planning authority? *

18/10/2018

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site inspection would allow the members to review the application in context of the development site.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

LRB should request access from the applicant as it involves traversing through a live building site.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Steven Taylor

Declaration Date: 03/01/2019

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**Statement in Support of Application Ref No. 181513/PPP
Erection of two Dwelling Houses, Mundurno, B999 Tarves Road.**



Applicant: Skarradon Developments Ltd
Agent: Taylor Architecture Ltd
Author: Steven Taylor
E: steven@taylorarchitecture.co.uk
T: +44 (0)7500026150

Drawings issued as per application 181513/PPP:

E(90)001
L(05)001 Site Sections
L(05)002 Site Sections
L(05)003 Proposed Elevations
L(05)100 3d Visualisation
L(90)001 Proposed Site Layout
L(90)100 Location Plan

1.0 Introduction:

The following supporting statement has been prepared in relation to the application for planning permission in principle for 2no. dwellings at Mundurno Farm, Tarves Road.

The site consists of a Farmhouse, "E" Block agricultural barn and various standalone buildings.

Planning Permission has been granted by Aberdeen city council to carry out the following;

1. Construct a new access road ACC ref P160570
2. Replace a dilapidated extension to the farmhouse ACC ref P151715
3. Convert the main barns into 4no. Dwellings , Garage Block and stores ACC ref P161156

Works for the above are well under way and it is anticipated that the program completion should be middle of 2019.

The development is being carried out to a high standard and providing a total of 5no. quality dwelling homes to the available stock to the North side of the city.

The applicant purchased the site in a state of disrepair after it had been on the open market for over 10 years. Previous purchases fell through due to cost feasibility issues.

As part of the purchase, an area of land to the South East of the principal farmhouse was included. This land was integral to the boundary of the farm activities, and houses 2no. built forms. These can be seen marked in a red hatch shown on Taylor Architecture drawing E(90)001. The building to the West was linked to a farmworkers bothy and housed sleeping accommodation. The sleeping accommodation was evident due to presence of "bunk" style beds, utility services, drainage and working chimney breast. The building to the east provided general and multi purpose storage for the farm holding. Both buildings had fallen into a state of disrepair and surplus to requirements of the latter years Mundurno farm model. The properties lay disused and further deterioration occurred during the prolonged period of attempted sale.

2.0 Application

Skarradon Developments Ltd commissioned Taylor Architecture Ltd to site test the residual portion of land to the South East of the site to establish if additional dwellings could be supported on the site.

The site area appraisal determined that 2no. single dwelling house plots could be fitted onto the site without adversely affecting the character of the existing farmhouse or streetscape.

An application for planning permission was lodged to Aberdeen City Council and validated 17th August 2016.

The officer issued a decision notice to refuse the Planning Permission in Principle dated 18th of October.

Three reasons to justify refusal were as follows;

1. The proposed development would not be essential for the types of development generally acceptable in the green belt, including agriculture; woodland/forestry; recreational uses compatible with an agricultural or natural setting, mineral extraction/quarry restoration; or landscape renewal. Neither would it be compliant with any of the exceptions listed in policy NE2, as the proposal would not facilitate the rehabilitation of existing buildings; nor would it comply with all criteria for proposals for development associated with existing activities in the green belt. As such, it is considered that the proposal would be contrary to the overriding aims of protection of the green belt, which include maintaining a distinct identity and clear physical boundary around Aberdeen; directing growth to the most suitable locations; and preventing urban sprawl. It would therefore be contrary to Scottish Planning Policy - paragraphs 49-52 and policy N2 (Green Belt) of the 2017 Aberdeen Local Development Plan.
2. Supplementary Guidance on Trees and Woodlands sets out that any proposal for planning in principle should be supported by a Tree Survey where any trees are within 15m of the site boundary. In this case, this information has not been provided, and it is therefore not possible to fully assess the impact of the proposal on the mature trees immediately to the west of the site. However, due to the limited distance between the trees and the proposed western most dwelling, it is likely that this will intrude into the zone of influence and root protection areas of these trees. Due to the proximity of the trees to the proposed dwellings, these could have an adverse impact on residential amenity due to loss of day light/excessive overshadowing, which could result in a requirement to remove the trees in the future. Policy NE5 (Trees and Woodlands) carries a presumption against development that will have an adverse impact on mature trees, and as such, the proposal would not comply with this policy or with Supplementary Guidance on Trees and Woodlands.
3. The site is located in an unsustainable location as it would not be easily accessible by public transport and is not connected to safe walking and cycling routes. As such, the proposal would be entirely reliant on the private car. Policies D1 (Quality Placemaking by Design), T2 (Managing the Transport Impact of Development) and T3 (Sustainable and Active Travel) and Supplementary Guidance on Transport and Accessibility sets out that all new development should promote access to sustainable transport methods, and as such the proposal is considered contrary to the requirements of these policies.

The applicant /owner of the land disagrees with the decision notice and appeals to the Local Review Board to re-consider this position.

3.0 Development in the Greenbelt Policy NE2

3.1 Policy NE2 from the Aberdeen Local Plan 2017 states that;

No development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.

The land in question, by virtue of its annexation to the new Mundurno group of houses, limited size and access arrangements would not be appropriate for any of the above alternative opportunities.

The land portion shape, features and topography is not suitable for arable agricultural use or grazing. The stone boundary and shape also prohibits feasible inclusion into the surrounding fields.

Residential use has been established on the adjacent land via the conversion of the agricultural buildings to residential use. The view of trying to retain this land for any of the uses mentioned above is no longer compatible with the new residential use and access is now cut off by same development.

Maintaining strong natural boundary conditions in the form of the trees, stone dyke and post / wire fencing ensures that the land is naturally included within the demise of the dwellings, yet location and size of each individual plots means surplus to any meaningful garden grounds.

With such physical qualities we propose that the land reads as an exception to the above.

3.2

The following exceptions apply to this policy:

Proposals for development associated with existing activities in the green belt will be permitted but only if all of the following criteria are met:

- a) The development is within the boundary of the existing activity;*
- b) The development is small-scale;*
- c) The intensity of activity is not significantly increased; and*
- d) Any proposed built construction is ancillary to what exists.*

a) The development land proposed is within the natural boundary of the residential site. There was 2no. existing built forms on the proposed land that is clearly visible and not naturalised. Upon possession of the site sleeping quarters, chimney breasts, doors and windows were all visible. The site has beyond doubt been used for residential use.

b) The total site area purchased by the applicant not including the access road accumulates to 11,280sqm thereby. The total sqm of the 2no. proposed plots is 1961sqm therefore equating to 17% of the total available land.

c) The total site area is 11,280sqm, the current residential building footprint is 1283sqm (11.3%). This density is significantly lesser than most residential developments in the countryside, let alone that visible at nearby CALA, Barratt and Scotia developments. Inclusion of the 2no. new dwellings increases the building footprint to 1771sqm. or 15.7% footprint to site ratio. The 2no buildings to be removed totals 210sqm or 1.9% equivalent. We can therefore deduce an increase of footprint to site area ratio of 2.5% when considering the whole site. We propose that this is a very minor increase to the overall settlement.

d) The entire development site consists of 5 no. dwellings. (1no. farmhouse and 4no. dwellings created using the agricultural buildings). We propose the construction of 2no. dwellings, in lieu of 2no. displaced built forms, to be ancillary to what exists. Fig 9 shown below shows the cohesion of the proposed 2no. dwellings in context of the wider site.

In considering items 1a-1d we propose that there will be no detrimental impact or erosion of character to the Green Belt as a result of this development.

3.3

Essential infrastructure (such as electronic communications infrastructure, electricity grid connections, transport proposals identified in the LDP or roads planned through the master planning of opportunity sites) will only be permitted if it cannot be accommodated anywhere other than the Green Belt.

All utility services, drainage connection, fire fighting water storage and road access are currently on site. As a result we propose that there will be no detrimental impact or erosion of character to the Green Belt.

3.4

Buildings in the Green Belt which have a historic or architectural interest, or a valuable traditional character, will be permitted to undergo an appropriate change of use which makes a worthwhile contribution to the visual character of the Green Belt. Please see relevant Supplementary Guidance for detailed requirements.

The built forms as existing were of minimal architectural interest, and in a state of disrepair. The condition of the buildings deteriorated rapidly during the prolonged period the development site was on the open market. Metal clad roofs and walls had collapsed, and upon possession the applicant has made safe by removing parts of the built form. Please see below Figs 1-7.

The main body of the bothy shown in Fig 1 is considered to be the only element of built form worthy of keeping on the site. From west to east it forms a natural termination to the parking and garage

areas for the farmhouse and units 2,3,4. We propose to retain the bothy building as part of a gardeners shed. If it was deemed that this should be removed under clause 5b) of the below then the bothy could be removed and the granite stone re-used in the new dwellings.

3.5

Proposals for extensions of existing buildings, as part of a conversion or rehabilitation scheme, will be permitted in the Green Belt provided:

- a) The original building remains visually dominant;*
- b) The design of the extension is sympathetic to the original building in terms of massing, detailing and materials, and*
- c) The siting of the extension relates well to the setting of the original building.*

a) The size and shape of both buildings to be replaced, be it in their current form or extended with a sub-serviant addition, do not provide suitable good design floor space for modern family living.

b) and c) These clauses can be ruled on based on 4a)

3.6

Replacement on a one-for-one basis of existing permanent houses currently in occupation will normally be permitted provided:

- a) It can be demonstrated to the Council that they have been in continuous occupation for at least 5 of the seven years immediately prior to the date of the application;*
- b) The replacement house, except in exceptional circumstances (e.g. to improve a dangerous access), occupies the same site as the building it would replace. Where replacement houses are permitted on sites different from the original site, the original house will require to be removed;*
- c) Replacement houses should be of a scale, design and external appearance that contributes to the visual character of the Green Belt.*

a) Sleeping quarters within the bothy and use of the 2 buildings ceased with the viable operation of the Farm holding. Succession of the estate has meant that the land was encompassed by other holdings and the farmhouse site fell into disrepair. The site was subsequently placed on the open market but due to financial and local economy downturns, it rendered the site unfeasible for development or re-generation.

As a result it cannot be demonstrated that the units were occupied within 5 of the last 7 years the entire site had been left to ruin for greater than 10 years, however it can be demonstrated that the land has been used for accommodation for farm workers. There is a clear precedent for residential use on the land.

b) During our site investigation works we reviewed the siting of the buildings and determined that the layouts and interactions between each built form could be improved, allowing the building to maximise views to the south along with adopting techniques for natural day lighting and ventilation. These would be explored further and conveyed post establishing the principle of development.

c) Our proposals demonstrate that the scale is suitable for the land in terms of density, topography, finished floor level heights and delivering a form that would be sub-serviant to the principal streetscape. The buildings have been designed using a shape and form that is consistent with modern homes in the countryside.

3.7

All proposals for development in the Green Belt must be of the highest quality in terms of siting, scale, design and materials.

The proposed dwellings will provide 2no. good sized Family homes to the north of the city and be constructed using high quality materials including the re-use of Granite from the site.

All developments in the Green Belt should have regard to other policies of the Local Development Plan in respect of landscape, trees and woodlands, natural heritage and pipelines and control of major accident hazards.

The officers states "it is considered that the proposal would be contrary to the overriding aims of protection of the green belt, which include maintaining a distinct identity and clear physical boundary around Aberdeen; directing growth to the most suitable locations; and preventing urban sprawl" Our proposal does not breach or inhibit the existing rural character and identity of the site or wider greenbelt. The development land is clearly within the grounds of the residential site (former farm holding). The proposal seeks to regenerate a the disused and bring into the wider context. There will be no physical detriment to the greenbelt or visual amenity.

4.0 Supplementary Guidance Trees and Woodland

The officer has raised concern with regards to the existing Trees on the site.

Our proposals will maintain the all boundary line trees and shrubbery. A tree survey will be carried out and any trees that may be lost, particularly on plot A shall be compensated for as part of a proposed planting scheme. The trees located within plot A on the footprint of the dwelling are of poor condition. Our development proposals will enable the opportunity to enhance and add to the biodiversity and natural character of the site. A planting and maintenance schedule will be included in the submission.

We ask that this may be conditioned and discharge prior to commencement of works on site.

5.0 Sustainable Transport

The officer has raised concerns in respect of accessibility by public transport, nor is it connected to footpath or cycle ways.

Mundurno is a rural site set in farmland within the bounds of Aberdeen City. It is accessed off the B999 Tarves road via a newly formed access road as part of application P160570. With the application P160570, the applicant at his cost worked with the adjoining proprietary at Hillcrest to consolidate 4 potential access routes off the B999 to one singular access. This greatly improved the safety of traffic accessing the site. The new junction was formed large enough for waste collection and emergency services vehicles, and would allow for drop off and pick from the site from buses or taxis not indifferent to any other home along the B999 corridor. Cycling or walking from this site could not be accommodated without a full scale re-development of the B class road. It is worthy to note that the anticipated traffic on the B999 would likely be reduced upon opening of the Aberdeen Western Peripheral Route AWPR.

6.0 Conclusion

In conclusion the application safely demonstrates that the fundamentals of the Green Belt policy can be upheld and an opportunity presents to improve the character of the existing residential site.

The addition of 2no high quality dwellings within the Bridge of Don Area housing stock can be accommodated.

It is respectfully requested that planning permission could be granted.

tea



Fig.1 Existing Bothy, Sleeping Accommodation



Fig.2 Bothy Annex



Fig.3 Existing Bothy, view west towards steading buildings



Fig.4 Dismantled shed to East of site.



Fig.5 Dismantled storage building, out house.



Fig.6 Existing Bothy, Existing Stone Dyke to remain



Fig.7 Existing South Boundary, Existing Stone Dyke to remain
Boundary Trees to remain to maintain border to Green Space Network



Fig.8 Existing South Boundary, Existing post and wire fence to remain.
Boundary Trees to remain to retain border to Green Space Network

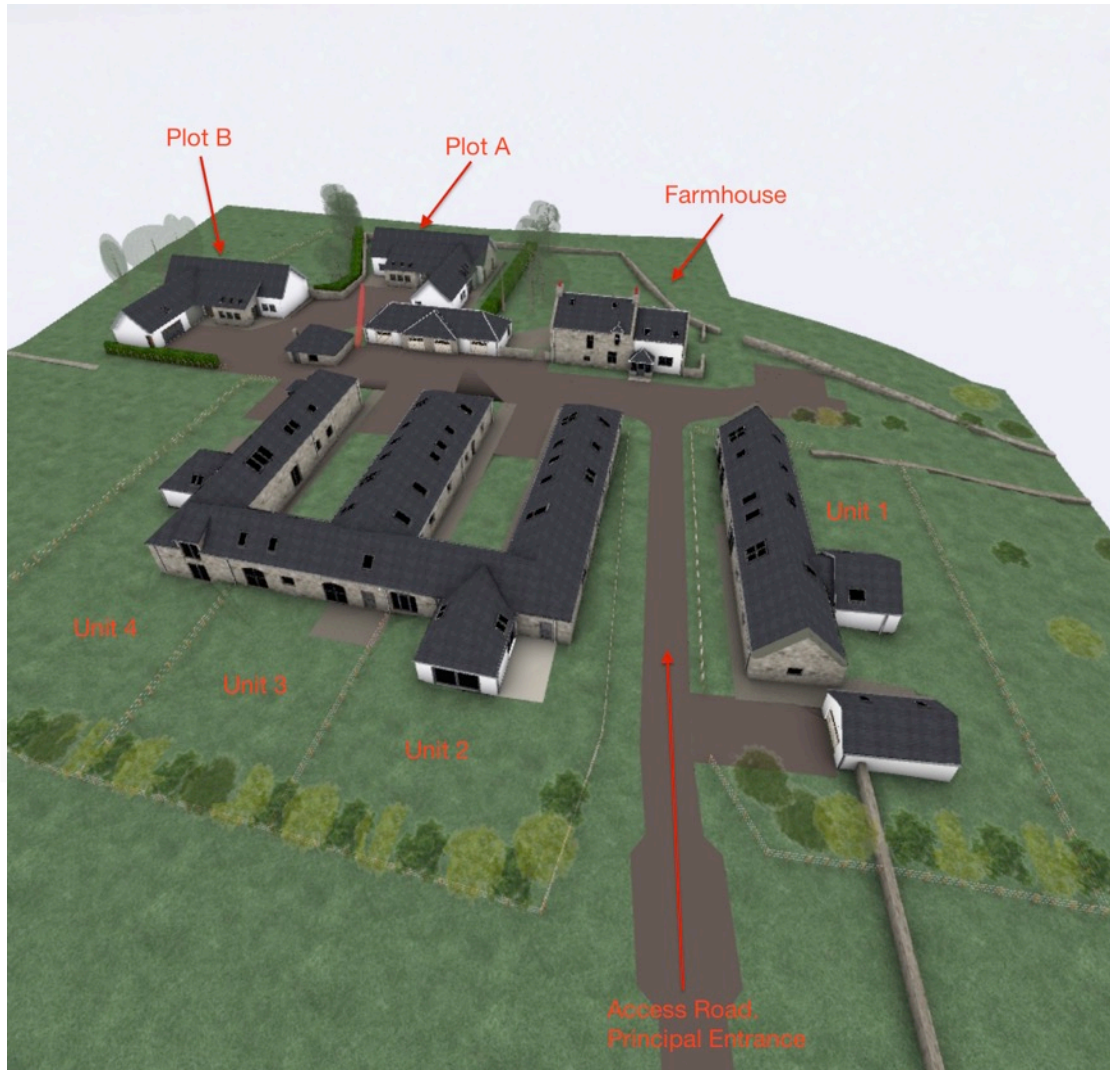


Fig.9 Proposed Site Planometric. Looking South
 Plot A and B as proposed can be seen to the SE corner of the site.
 This image demonstrates that the proposed dwellings can be accommodated without visual hindering the aesthetics of the existing residential development.
 Fig.9 Proposed Site Planometric. Looking South
 Plot A and B as proposed can be seen to the SE corner of the site.



Fig.10 Proposed Site 3d View looking South East towards Plot A and B from the main access road. This image shows the minimal impact of Plot A and B on the character of the Farmhouse / Steading grouping. Plot A and B are "Tucked " behind the garage and Bothy so that the grouping relationship of the Granite forms remain in tact.



Fig.11 Proposed Site 3d View looking North West towards Plot A and B from Plot B garden space. This image shows the careful selection of materials to match those of the main development. All Granite shall be used shall match the coursing of the existing residential development and be sourced from the existing site. The simple shapes of the proposed new dwellings shall reflect the vernacular of the site, but afford the owners high quality modern living layouts. Boundary conditions and proposed planting schemes will be consistent with existing tree lines and all species to be native to the area.

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